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Letter dated 22 February 2012 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the General Assembly

I have the honour to inform you that in July 2009 the Government of the Bolivarian Republic of Venezuela submitted its candidature for membership in the Human Rights Council in the elections to be held in 2012 for the period 2013-2015.

The Permanent Mission of the Bolivarian Republic of Venezuela would be grateful if its candidature could be included in the preparations for this election, and would suggest that it be included in the programme of work under the agenda item "Elections to fill vacancies in subsidiary organs and other elections: election of eighteen members of the Human Rights Council".

In that regard, the Government of the Bolivarian Republic of Venezuela has the honour to transmit herewith its written statement of voluntary pledges and commitments for the promotion and protection of human rights in accordance with General Assembly resolution 60/251 of 15 March 2006 (see annex). It would be grateful if it could be circulated to the Member States of the United Nations.

(*Signed*) Jorge **Valero**
Ambassador

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Candidature of the Bolivarian Republic of Venezuela

Human Rights Council

2013-2015

Voluntary pledges and commitments made by the Bolivarian Republic of Venezuela pursuant to General Assembly resolution 60/251

General actions taken by the Bolivarian Republic of Venezuela for the promotion, respect for, protection and realization of human rights

The Bolivarian Republic of Venezuela is a democratic and social State that respects rights and justice. Its Political Constitution is a recent innovation and has been recognized as one of the most advanced constitutions in the world. The Venezuelan Constitution provides full guarantees of human rights. Through its participative and proactive democracy and a broad-based and pluralistic exchange of ideas, the Government has been implementing policies to achieve social, economic and cultural equality as well as the exercise of civil and political rights. Thus, through both its legislation and concrete activities, the Venezuelan Government aims to ensure that the concept of universal and indivisible human rights is respected, promoted, fulfilled and understood.

The Bolivarian Republic of Venezuela welcomes the establishment of the Human Rights Council and the introduction of the universal periodic review mechanism into its innovative institutional practices. It underwent the universal periodic review on 7 October 2011; the preparation for this exercise was a thorough, pluralistic and continuous process. In Venezuela, the universal periodic review was and is a fundamentally grass-roots effort to raise awareness of all human rights. It has become a cross-cutting element of public policy which is subject to evaluation and monitoring by the people in order to ensure that human rights are respected, promoted and realized.

An intra- and inter-institutional working group, which included representatives from all Government bodies, was convened to draft the first national report on the universal periodic review. This process involved extensive social consultations, which in turn led to the establishment of permanent national agencies for human rights training, an initiative that included the participation of civil society organizations, community councils and non-governmental organizations. This experience is complemented by an ongoing effort to submit updated reports on implementation of human rights conventions and protocols that have been ratified to the relevant treaty bodies; Venezuela has submitted or will submit all such reports by July 2012. In addition, the universal periodic review process resulted in the development of the website www.epuvenezuela.gob.ve, an outlet for transparent information on human rights in Venezuela.

The Bolivarian Republic of Venezuela has made great strides in the area of development and quality of life; over the past 12 years, poverty and inequality levels in the country have decreased. The implementation of public policies aimed at eradicating poverty is based on the principles of universality, free access, equality, inclusiveness, solidarity, equity and social justice. Public programmes have

resoundingly manifested those principles by empowering girls, boys, adolescents, women, persons with disabilities and older persons.

In addition, a system that genuinely protects indigenous peoples and people of African descent has been developed, which recognizes their contributions, as indigenous Venezuelans and Afro-Venezuelans, to shaping our identity as well as the contributions of their basic social institutions. This system is complemented by mechanisms for political participation at every level, which guarantee that indigenous peoples will always have representation within the National Assembly. The Venezuelan Government is part of an international trend to seek constitutional recognition of the specific rights of indigenous peoples as the original occupants of a country in the Constitution, and to acknowledge the multi-ethnic, pluricultural and multilingual nature of our society.

The Venezuelan Government's achievements in the area of human rights are evident in changes in indicators, such as the decrease in the percentage of households living in extreme poverty, which dropped from 21 per cent in 1998 to 7.1 per cent in 2010. Thanks to its effective social justice policy, the Venezuelan Government has successfully met Millennium Development Goal 1, which is to halve the number of households living in extreme poverty. Over the past 10 years, Venezuela has made social investments amounting to more than $400 billion.

With regard to social rights, it is important to note that the health policies developed by the Venezuelan Government are guided by the principles of universality, equality, free access, participation, and multi-ethnic and pluricultural sensitivity. In 2003, a plan called "Misión Barrio Adentro" (Inner-City Mission) was established to offer citizens basic health care free of charge. Thanks to this programme, 24 million Venezuelans, or slightly more than 80 per cent of the population, access services in a total of 13,510 public health centres; this figure is even higher if centres offering specialized health services are taken into account.

In the area of civil rights, the Venezuelan Government guarantees the inviolability of the right to life throughout the life cycle as the basis of the enjoyment and exercise of all other rights, including by explicitly prohibiting the death penalty. The increased protection of this right now begins from the moment of conception and extends through the gestational cycle; while maternal and infant health and the comprehensive development of the person are also taken into account. This has led to a decrease in the infant mortality rate, which was at 13.9 per 1,000 live births in 2008, and an increase in life expectancy, which is currently 73.94 years.

With respect to access to justice, in order to ensure respect for human rights, the Constitution of the Bolivarian Republic of Venezuela fully guarantees judicial mechanisms and mechanisms for the investigation and resolution of proceedings. An outstanding example of such mechanisms is the constitutional protection measure (*amparo constitucional*). The jurisprudence relating to this measure is solid evidence of its appropriateness and effectiveness in protecting human rights. Guarantees have been further enhanced by strengthening of the Attorney-General's Office and police investigative authorities and the establishment of the Bolivarian National Police.

The Bolivarian Republic of Venezuela notes that it is a party to the following international human rights instruments:

- International Covenant on Economic, Social and Cultural Rights;
- International Covenant on Civil and Political Rights;
- Optional Protocol to the International Covenant on Civil and Political Rights;
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
- International Convention on the Elimination of All Forms of Racial Discrimination;
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Convention on the Elimination of All Forms of Discrimination against Women;
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
- Convention on the Rights of the Child;
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

In addition, the Bolivarian Republic of Venezuelan recently signed the following international human rights instruments:

- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1 July 2011);
- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (4 October 2011);
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (4 October 2011).

The Bolivarian Republic of Venezuela, fully committed to the purposes and principles of the Charter of the United Nations and to the universal system for the promotion and protection of human rights, has the honour to share its pledges and commitments in respect of its candidature for membership in the Human Rights Council for the period 2013-2015.

1. At the international level

To cooperate with the Human Rights Council, its special procedures and mechanisms of the universal system of promotion and protection of human rights

The Bolivarian Republic of Venezuela is committed to greater cooperation with the Council, in order to strengthen its role as a transparent, efficient and objective body that remains true to the founding human rights principles, contributing to the promotion and protection of all human rights, including the right to development.

Venezuela considers the Special Procedures of the Human Rights Council to be the cornerstone of the universal system of promotion and protection of human

rights. It is open to genuine and constructive dialogue with the special rapporteurs, independent experts and special representatives of thematic procedures who adhere to impartiality and objectivity as principles rather than a means to merge and further restrict the mandates granted by the States, since great value is placed on the advocacy and cooperation efforts those individuals undertake to help overcome human rights shortcomings or harsh realities, as necessary, and with the utmost respect for the sovereignty and independence of States.

To contribute to international efforts for human rights promotion and protection through human resources and technical and financial support

Venezuela has contributed voluntarily to the financing of the promotion and protection of human rights at the international level, through the Office of the United Nations High Commissioner for Human Rights, specifically the Committee against Torture, International Organization for Migration, United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the United Nations High Commissioner for Refugees, International Committee of the Red Cross, Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, United Nations Voluntary Fund for Indigenous Populations, United Nations Voluntary Fund for Victims of Torture, United Nations Development Fund for Women, United Nations Children's Fund, United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, Trust Fund on Indigenous Issues, United Nations Trust Fund for Publicity against Apartheid, International Research and Training Institute for the Advancement of Women and the UNESCO World Heritage Fund.

To coordinate with the United Nations Office in Venezuela and the Office of the United Nations High Commissioner for Human Rights

The joint technical assistance provided by the United Nations Office in Venezuela and the Office of the United Nations High Commissioner for Human Rights (OHCHR) has been vital. A human rights institution-building project is currently under way, as part of an agreement to promote, protect and enforce all human rights, with its focus in the medium term on promoting a comprehensive system for the ongoing and timely preparation of specific reports.

To monitor commitments under the treaty-based bodies and the universal periodic review

The Bolivarian Republic of Venezuela is committed to meeting its obligations under the international human rights covenants and conventions. In that regard, a systematic policy has been designed to respond efficiently to and follow up on periodic reports for the treaty-based bodies and the universal periodic review. It aims to implement a system of analysis and timely preparation of reports for submission to the treaty bodies.

Before July 2012, Venezuela will submit its third report under the International Covenant on Economic, Social and Cultural Rights; its nineteenth, twentieth and twenty-first consolidated report under the International Convention on the Elimination of All Forms of Racial Discrimination; its fourth report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and, its third, fourth and fifth report under the Convention on the Rights of the Child, all of which are in the process of review for submission to the relevant committees.

In addition, on 5 July 2011, the Venezuelan Government officially transmitted to the secretariat of the Office of the United Nations High Commissioner for Human Rights the initial report by the Bolivarian Republic of Venezuela under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the initial report by the Bolivarian Republic of Venezuela under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, for consideration by the Committee on the Rights of the Child. The common core document, which forms an integral part of the reports by the Bolivarian Republic of Venezuela, was also submitted on the same date.

2. At the regional level

The Bolivarian Republic of Venezuela supports the far-reaching reform process that must take place within the inter-American system for the promotion and protection of human rights, as the System suffers from a lack of transparency and objectivity. That process seeks to ensure that the inter-American system will no longer be an institution for selective action, double standards and disrespect for the sovereignty of some member States.

Venezuela also notes with great interest and will definitively contribute to the new concepts of the relationships with and between Latin American and Caribbean States in the field of human rights, which includes promoting a regional geopolitical bloc, with agendas and working methods based on a Latin American and Caribbean vision, without the imposition of the international agenda of any Power or blocs outside the region. Those relationships will be based on cooperation, complementarity, solidarity, dealings among equals and respect for sovereignty to ensure the balance of power between regional blocs and neighbouring countries and to create multiple polarities. Examples of this concept of international relations include the Bolivarian Alliance for the Peoples of Our America — Peoples' Trade Agreement (ALBA-TCP), Union of South American Nations (UNASUR) and Community of Latin American and Caribbean States (CELAC).

This new vision is gradually extending to important topics on the international agenda, including human rights, which have been discussed in these regional forums and are expected to be defined in the medium term.

In that regard, the new systems for the unity and integration of peoples have reiterated their commitment to the Human Rights Council and its mechanisms. The countries of the region have suggested sharing national experiences of preparing and presenting reports to the universal periodic review mechanism as an effective instrument for the consideration and promotion of human rights in all countries on equal terms, according to the commitments of each country. Venezuela is committed to working to preserve the integrity, objectivity and balance of this mechanism. All these declarations take into account respect for diversity and the cultural identity of the peoples of the region.

3. At the national level

The Bolivarian Republic of Venezuela pledges to undertake the following initiatives during its membership in the Human Rights Council:

- To continue to increase the visibility of human rights as a cross-cutting theme for all public policies aimed at the promotion of and respect for human rights at all levels of government, in accordance with the provisions of the Constitution of the Bolivarian Republic of Venezuela and the duly ratified international human rights treaties and conventions

- The Bolivarian Republic of Venezuela considers the right to development to be an inalienable human right, by virtue of which every human being and all peoples are entitled to participate in an economic, social, cultural, civil and political development that allows them to exercise fully all human rights and fundamental freedoms; to contribute to that development and to its enjoyment. Therefore, the Venezuelan Government is committed to the ongoing implementation and development of social programmes, designed by the national Government and known as "social missions", which seek to recognize and enforce the rights of the population in the fields of health, employment, education, food, social assistance, scientific and technological development and public safety

- To promote dissemination of the new Organic Law against Racial Discrimination and help establish the institute against racial discrimination that the Law provides for, all of which will contribute to the revitalization of the spirit and principles contained in the Declaration and Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, adopted in Durban in 2001

- To promote the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, taking into account the great importance that the Venezuelan Government attaches to promoting and protecting the rights of indigenous peoples

- To strengthen procedures to ensure the exercise of the right to individual and collective property, as well as regularizing rural and urban land tenure

- To update the information collected in the census of communities of indigenous and African descent and of persons with disabilities, and ensure that the groups themselves participate in the process, with a view to strengthening public policies in these population groups

- To promote, disseminate and raise awareness in society of the rights of persons with visual disabilities by promoting widespread use of the Braille system in order to guarantee their right to information

- To strengthen migration policies, adopting a human rights approach

- To design a platform entitled "National System of Human Rights Indicators" as an appropriate mechanism for monitoring progress and challenges in implementing economic, social and cultural rights, as well as civil and political rights. In that regard, the valuable collaboration of the United Nations Office of the High Commissioner for Human Rights will be taken into account

- To further develop and continue to implement the various human rights education programmes, whose purpose is the comprehensive development of the human being, drawing on the valuable sharing of experiences with other States and relevant institutions within the United Nations system

- To further enhance the protection of human rights within the Venezuelan correctional system through days devoted to addressing the human needs of the prison population throughout the country, including health care, legal advice, elimination of trial delays, and review and follow-up on case files, all areas that must be taken into account to ensure the coexistence with dignity of the population serving a prison sentence

- Before the end of 2012, to deposit the Convention on the Rights of Persons with Disabilities and its Optional Protocol, thereby complementing the very recent legislation in force that addresses services and support for this particular social group

- To facilitate and increase access to the system of administration of justice, not merely its aspect that pertains to legal proceedings, but as the basis for a much-needed public policy of inclusion, aiming at the creation and establishment of new social jurisdictions defined by immediacy as a principle that marks a break with the paradigm of the written trial and the excessive formalism that renders it impersonal. The Venezuelan Government will thus guarantee each person's right of access to the courts to defend his or her individual and collective rights and interests, in addition to protection of those rights and interests, free of charge. In order effectively to ensure this right, the Judiciary will pursue the ongoing restructuring, assessment and training process that has yielded 1,910 judges to date, which amounts to 6.6 judges per 100,000 citizens

- To intensify efforts to reform the police force and combat insecurity, illegal weapons trafficking and the illegal sale of narcotics, with the guiding concept of civic security as a human right, thereby reaffirming respect for integrity and life. The successful implementation of the Comprehensive Plan on Civic Prevention and Security, under which the following plans and programmes have been carried out, will continue: (i) the establishment of the National Prevention System; (ii) the establishment of the integrated police system; (iii) the formation of the Bolivarian National Police, whose role comes within the context of strengthening constitutional and human rights principles in accordance with international treaties and covenants; (iv) the transformation of state and municipal police forces; (v) the gradual consolidation of the criminal justice system and other legislative reforms; (vi) the fight against illegal drug trafficking; and (vii) the plan to humanize the correctional system. With the implementation of this Comprehensive Plan on Civic Prevention and Security, the National Experimental University on Security has produced 4,222 graduates who have been successfully integrated into the Bolivarian National Police, thus meeting the international standard for police coverage rates: "*3.6 police officers per 1,000 inhabitants*"

- To undertake the necessary action to protect freedom of expression and opinion, in accordance with its obligations under the International Covenant on Civil and Political Rights, further developing the establishment of governing and regulatory bodies in this area, and enacting laws that, in the dissemination and reception of messages, establish the social responsibility of radio and television service providers, electronic media providers, announcers, independent national producers and users, in order to foster a democratic balance between duties, rights and interests, thereby promoting social justice

and contributing to the development of citizenship, democracy, peace, human rights and the social and economic development of the nation

- To continue to strengthen mechanisms for civic participation in public affairs and the right to vote, which has resulted in significant changes in electoral practice, encompassing everything from the concept of suffrage as a right to the institution of new forms of political, social and economic participation. Since the entry into force of the Constitution of the Bolivarian Republic of Venezuela, Venezuelan society has witnessed an ongoing evolution in the exercise of political rights, driven by the active participation of the people. Beyond the election of public officials, this participation is expressed through the implementation of innovative political activities, including referendums, community opinion polls, abrogation of mandates, legislative, constitutional and constituent initiatives, town meetings, and citizen assemblies, whose decisions are binding. Together with the election of public officials, they reinforce the guarantee of active participation by the people in exercise of its sovereignty

- To establish electoral authority, as stipulated in the 1999 Constitution, with the aim of granting priority to the principle of active participation that underpins Venezuelan democracy. The exercise of this authority falls to the National Electoral Council, which is promoting a new electoral model, one based on suffrage as a right and according to which new forms of participation that go beyond the mere voting process are taking shape. The Venezuelan people's participation in 15 electoral processes between 1999 and 2010 is worth highlighting, as it demonstrates democratic purpose and reaffirms sovereignty and self-determination as exercised through free, direct, secret and universal suffrage. These electoral processes provide a clear indication of the plurality and the full exercise of political freedoms that Venezuelans enjoy, freedoms unprecedented in the history of the Republic